

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Information Disclosure Statement**

Applicants hereby request that the all of the references submitted with the Information Disclosure Statements (IDS) filed on January 28, 2010 and June 21, 2006 be considered by the Examiner.

Initially, please note that references BA, BB, BC and CA of the IDS filed on January 28, 2010 were not considered by the Examiner. Although references BA, BB, BC and CA are not in English, the Applicants note that (i) reference BA corresponds to references AA, AB, AC and AF, which are in English, (ii) reference BB corresponds to references AE and AG, which are in English, (iii) reference BC corresponds to reference AD, which is in English, and (iv) reference CA has been submitted with a partial English translation (see page 3 of the IDS submitted on January 28, 2010, as well as the PTO 1449 form).

Moreover, please note that references AJ and AO of the IDS filed on June 21, 2006 were not considered by the Examiner. Although references AJ and AO are not in English, the Applicants note that (i) reference AJ corresponds to reference AA, which is in English, and (ii) reference AO is partially in English and the drawings are understandable to any language (see page 3 of the IDS submitted on June 26, 2006, as well as the PTO 1449 form).

In view of the above, the Applicants respectfully request that the Examiner return a fully initialed copy of the PTO 1449 forms submitted on June 26, 2006 and January 28, 2010. The Examiner is invited to contact the undersigned if the Applicant's position is unclear.

## **II. Amendments to the Abstract**

The abstract has revised to improve its English grammar. No new matter has been added.

## **III. Amendments to the Claims**

Independent claim 33 has been amended to clarify features of the invention recited therein and to further distinguish the present invention from the references relied upon in the rejections discussed below.

It is also noted that claims 33-37 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

In view of the election of claims 33-37, claims 1-32 have been identified as being withdrawn.

## **IV. 35 U.S.C. § 102 Rejection**

Claims 33-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by Morita (U.S. 2001/0026647). This rejection is believed clearly inapplicable to amended independent claim 33 and claims 34-37 that depend therefrom for the following reasons.

Amended independent claim 1 recites a game execution apparatus that executes a game in accordance with a game program and is used along with (i) another game execution apparatus for converting first image data to second image data and (ii) a portable storage medium for

acquiring the second image data from the other game execution apparatus, storing the second image data and outputting the second image data according to a request, the first image data being suited for use in the other game execution apparatus, and the second image data being suited for use in the game execution apparatus. In addition, claim 1 recites that the game execution apparatus includes a read unit operable to request and acquire the second image data from the portable storage medium, and an acquisition unit operable to acquire a game program suited for use in the game execution apparatus. Further, claim 33 recites that the game execution apparatus includes a game execution unit operable to execute a game in accordance with the acquired game program, generate an image from the second image data, and display the generated image in accordance with a progression of the game.

The above described structure makes it possible, through the use of the second image data, for the game execution apparatus to execute a game designed for use in the other game execution apparatus.

Morita fails to disclose or suggest the above-mentioned result of the structure as well as the distinguishing features, as recited in independent claim 33.

Rather, Morita merely teaches that only image data for a low resolution is recorded on a recording medium, such that when a portable game machine displays an object using an internal LCD, the image data for the low resolution is displayed, and when the portable game machine displays the object using an external TV set, the image data for the low resolution is scaled up and displayed (see paragraphs [0057]-[0066], specifically paragraph [0061], as relied upon on pages 2 and 3 of the Office Action).

Thus, in view of the above it is clear that, even though Morita teaches that the portable game machine switches image data to be displayed by the machine itself based on the display

resolution, Morita still fails to disclose or suggest (i) acquiring, from the portable storage medium, the second image data converted to be suited for use in the game execution apparatus by the other game execution apparatus that is different from the game execution apparatus, and (ii) displaying an image generated from the second image data in accordance with a progression of the game, as required by claim 33.

Therefore, because of the above-mentioned distinctions it is believed clear that independent claim 33 and claims 34-37 that depend therefrom are not anticipated by Morita.

As mentioned above, one of the benefits of the structure required by claim 33 is that through the use of the second image data, for the game execution apparatus executes a game designed for use in the other game execution apparatus. In light of the discussion above, Morita does not provide the above-mentioned benefits of the features recited by claim 33, because Morita fails to disclose or suggest (i) acquiring, from the portable storage medium, the second image data converted to be suited for use in the game execution apparatus by the other game execution apparatus that is different from the game execution apparatus, and (ii) displaying an image generated from the second image data in accordance with a progression of the game, as required by claim 33.

Furthermore, there is no disclosure or suggestion in Morita or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Morita to obtain the invention of independent claim 33. Accordingly, it is respectfully submitted that independent claim 33 and claims 34-37 that depend therefrom are clearly allowable over the prior art of record.

## **V. 35 U.S.C. § 103(a) Rejection**

Claims 36 and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Morita and Smith (U.S. 2003/190952).

In view of the above, it is respectfully submitted that the Smith reference do not disclose or suggest the above-discussed features of independent claim 33 which are lacking from the Morita reference. Therefore, no obvious combination of the main references with the Smith reference would result in, or otherwise render obvious, the invention recited in independent claim 33 and claims 34-37 that depend therefrom.

## **VI. Conclusion**

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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